

In the Matter of the Application )  
of Superior Technologies, Inc. d/b/a )  
Superior Spectrum, and d/b/a Spectrum LD )  
for a Certificate of Service Authority )  
to Operate as Non-facilities Based )  
Reseller of Interexchange Telecommunications )  
Services within the State of Illinois. )

2002 OCT 11 A 10:50  
Docket No. CHIEF CLERK'S OFFICE

02-0669

**APPLICATION FOR CERTIFICATE TO BECOME A  
TELECOMMUNICATIONS CARRIER**

Superior Technologies, Inc. ("Applicant" or "Superior Technologies") d/b/a Superior Spectrum, and d/b/a Spectrum LD, pursuant to the Illinois Public Utilities Act ("the Act"), 220 ILCS 5/13-404 (1995), hereby applies to the Illinois Commerce Commission ("Commission") for a Certificate of Service Authority to operate as a non-facilities-based reseller of interexchange telecommunications services throughout the State of Illinois, specializing in outbound "1 plus," toll free, and post paid calling card services. Applicant proposes to offer interexchange telecommunications services to both residential and commercial customers. In support of its Application, Applicant provides the following information:

**GENERAL INFORMATION**

1. Corporate Information

- a. Applicant's legal name, address, telephone number and facsimile number

are:

Superior Technologies, Inc.  
620 South Lake Street  
Marquette, Michigan 49855

Telephone: 906.227.7700  
Facsimile: 906.226.0521

- b. Applicant's FEIN# is 38-3284374

c. Applicant proposes to provide service under a dual d/b/a of Superior Spectrum, and Spectrum LD. The d/b/a of Spectrum LD is intended primarily to be used when serving subscribers who interface with the Applicant through the Internet, in order to distinguish Internet-based subscribers from the remainder of Applicant's subscriber base.

2. Authority Requested

Applicant requests authority to provide resold interexchange service throughout the State of Illinois pursuant to 220 ILCS 5/13-404.

3. Request for Waivers

Pursuant to Section 13-402 of the Act, Applicant requests the following waivers:

a. 83 Illinois Administrative Code, Part 710, the Uniform System of Accounts for Telecommunications Carriers, as it relates to Applicant's proposed authority, with the understanding that Applicant will maintain its accounting records according to Generally Accepted Accounting Principles in a level of detail similar to the accounting system which it currently uses and in sufficient detail to comply with all applicable tax laws;

b. 83 Illinois Administrative Code, Part 735, which governs credit, billing, deposits and termination of services; and

c. 83 Illinois Administrative Code 250 and Section 5-106 of the Act, allowing Applicant to keep its books and records outside the State of Illinois at the Company's headquarters in the State of Michigan.

The granting of the requested waivers would be consistent with the Commission's orders in other proceedings and the purpose and underlying policy of Article XIII of the Act.

4. Applicant is not requesting local exchange authority.

5. Applicant proposes to provide interexchange service throughout the State of Illinois.

6. Contact Persons:

a. Communications and correspondence relating to this Application should be addressed to:

Stacey A. Klinzman  
Miller Isar, Inc.  
7901 Skansie Avenue, Suite 240  
Gig Harbor, Washington 98335  
Tel: 253.851.6700  
Fax: 253.851.6474  
E-mail: [sklinzman@millerisar.com](mailto:sklinzman@millerisar.com)

And to:

David A. Puskala  
Vice President/Chief Operating Officer  
Superior Technologies, Inc.  
620 South Lake Street  
Marquette, Michigan 49855

Telephone: 906.225.9415  
Facsimile: 906.226.0521

b) – g) Communications and correspondence concerning consumer issues, customer complaint resolution, technical and service quality issues, tariff and pricing issues, 9-1-1 issues and security/law enforcement should be addressed to:

David A. Puskala  
Vice President/Chief Operating Officer  
Superior Technologies, Inc.  
620 South Lake Street  
Marquette, Michigan 49855

Telephone: 906.225.9415  
Facsimile: 906.226.0521

7. Type of Organization

Applicant is a corporation organized under the laws of the State of Michigan on March 8, 1996.

8. Articles of Incorporation and Certificate of Authority

A copy of Applicant's Articles of Incorporation is attached as **Exhibit A**. Copies of Applicant's Certificate of Authority and evidence of trade name registration with the Secretary of State are attached as **Exhibit B**.

9. Jurisdictions of Service Provision

Applicant is currently providing interexchange services in the States of Michigan and Wisconsin. Applicant is authorized to provide interexchange service in Florida and Minnesota. Applicant's application for interexchange authority is pending in Ohio.

10. Certificate Suspensions or Revocations

Neither Applicant nor any of the Applicant's principals have been denied a Certificate of Service or had its certification revoked or suspended in any jurisdiction in this or any other name.

11. Complaints or Judgments

No complaints or judgments have been levied against the Applicant in any other jurisdiction.

12. Service Provision Under Alternative Names

Applicant is authorized to provide service or has made application to provide service under the assumed names Superior Spectrum, Spectrum LD, Superior Spectrum Michigan and FSG Long Distance.

13. Location of Books and Records

Applicant has requested a waiver from 83 Illinois Administrative Code Part 250 in paragraph 3 above, so that it may maintain its books and records at its headquarters offices in Marquette, Michigan.

## MANAGERIAL INFORMATION

### 14. Managerial and Technical Resources

As a non-facilities based reseller, Applicant will rely primarily upon the technical expertise of its underlying carrier for service provision. Applicant possesses the requisite managerial resources to provide quality service, as evidenced by the corporate biographical statements attached as **Exhibit C**.

### 15. Applicant's Officers

<u>Name</u>	<u>Title</u>
A. William Stark	President
James P. Brogan	Vice President
Phil Mikulsky	Corporate Secretary/Treasurer
David A. Puskala	Chief Operating Officer

### 16. Ownership or Other Interests in Other Telecommunications Providers

Applicant is owned jointly by two independent incumbent local exchange carriers; Baraga Telephone Company,<sup>1</sup> and Hiawatha Communications, Inc.,<sup>2</sup> authorized by the Michigan Public Service Commission to provide local exchange services in the State of Michigan, and Penvest, Inc. a subsidiary of WPS Resources Corporation, Inc.,<sup>3</sup> authorized by the Wisconsin Public Service Commission to provide electric and gas utility service in the State of Wisconsin. Each company maintains a one third ownership stake in Applicant.

Applicant's officers maintain positions with Applicant's owning companies. Mr. Brogan serves as Director of Strategic Planning, Hiawatha Telephone Company, Inc. Mr. Mikulsky serves as Senior Vice President, Development, WPS Resources Corporation. Mr. Stark serves as President and General Manager of Baraga Telephone Company.

### 17. Billing Procedures

Applicant will issue customer bills for service on a monthly basis.

<sup>1</sup> 204 State Street, Baraga, Michigan, 49908, 906.353.6644.

<sup>2</sup> 108 West Superior Street, Munising, Michigan 49863, 906.387.9911.

<sup>3</sup> 1088 Springhurst Drive, Green Bay, Wisconsin 54304-5495, 902.617.6100.

18. Complaint Resolution Process

All complaints and customer service issues will be referred to the Applicant's Customer Service Department. Applicant's Customer Service center is available toll free at 800.433.6748 or 906.227.7700. Business hours are from 8:00 a.m. to 5:00 p.m. Central Time, Monday through Friday. After hours trouble reporting may be referred to Applicant's toll free emergency twenty-four hour trouble reporting center at 800.433.6748. In the event that a customer is not satisfied after contacting a Customer Services representative, the complainant will be referred to the Company's Customer Service Department supervisor for review and disposition. Customers will also be informed that, if they remain dissatisfied, they may contact the Illinois Commerce Commission.

19. Personnel Availability

Customer Service representatives will be available at Applicant's Customer Service center from 8:00 a.m. to 5:00 p.m. Central Time, Monday through Friday, to respond to service and billing inquiries. Emergency support is available 24 hours per day, seven days a week.

20. Customer Contact Telephone Numbers

Customers may contact Applicant by calling Applicant's toll free telephone number, 800.433.6748 or 906.227.7700.

21. Slamming and Cramming Laws

Applicant will abide by all Federal and State slamming and cramming laws pursuant to Section 13-902 of the Public Utilities Act and Section 258 of the 1996 Telecommunications Act.<sup>4</sup>

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<sup>4</sup> 47 U.S.C. §258.

22. Anti-Slamming and Cramming Procedures

Applicant will rely upon written and electronic Letters of Authorization to verify subscription. Applicant will bill customers directly.

23. Provisions of Illinois Administrative Code Applicable to Local Exchange Carriers

Applicant is not requesting authority to operate as a local exchange carrier.

24. Tariffs

Applicant's tariff will be filed upon approval of application.

FINANCIAL INFORMATION

25. Financial Statements

Applicant's financial statements, which are attached as **Exhibit D**, demonstrate that the Applicant's financial strength is sufficient to enable Applicant to provide and maintain service in the State of Illinois.

TECHNICAL INFORMATION

26. Equipment and Facilities

Applicant is a non-facilities based reseller. Thus, all equipment and facilities will be owned, operated and managed by Applicant's underlying carrier.

27. Services to be Provided

Applicant proposes to provide resold interLATA outbound "One Plus," in-bound toll free, and postpaid calling card services throughout the State of Illinois. Applicant further proposes to offer ancillary operator assisted calling functions exclusively to customers of record.

28. Availability of Technical Personnel

Applicant's technical personnel will be available at all times to assist customers with service problems.

29. Payphone Service

Applicant does not propose to provide payphone service.

## CONCLUSION

Applicant has demonstrated that it meets the technical, financial and managerial requirements of Section 13-404 of the Act. The granting of this Application by the Commission will further contribute to the development of meaningful interexchange competition in the State of Illinois and will promote the more efficient use of existing facilities.

WHEREFORE, Superior Technologies, Inc. d/b/a Superior Spectrum, and d/b/a Spectrum LD respectfully requests that the Illinois Commerce Commission grant a Certificate of Service Authority authorizing the Company to provide non-facilities-based resold interexchange telecommunications service in the State of Illinois

Respectfully submitted, this 20<sup>th</sup> day of September, 2002.

Superior Technologies, Inc. d/b/a Superior Spectrum, and  
d/b/a Spectrum LD

By:



David A. Puskala  
Vice President/Chief Operating Officer  
620 South Lake Street  
Marquette, Michigan 49855

Miller Isar, Inc.  
7901 Skansie Ave., Suite 240  
Gig Harbor, Washington 98335

Telephone: 253.851.6700  
Facsimile: 253.851.6474

Applicant's Regulatory Consultants



### VERIFICATION OF APPLICANT

STATE OF MICHIGAN                     )  
  )       SS.  
COUNTY OF MARQUETTE               )

I, David A. Puskala makes this oath and state that I am Vice President and Chief Operating Officer of Superior Technologies, Inc., the Applicant herein, that I have examined the foregoing application and that to the best of my knowledge, information, and belief, all statements of fact contained in the said application are true, and the said application is a correct statement of the business and affairs of Superior Technologies, Inc. d/b/a Superior Spectrum, and d/b/a Spectrum LD, in respect to each and every matter set forth therein.

De A. Postal

David A. Puskala  
Vice President/Chief Operating Officer  
620 South Lake Street  
Marquette, Michigan 49855

Subscribed and sworn to before me, a Notary Public/

John A. Steele  
(Title of person authorized to administer oaths)

Marguerite, MI

in the State and County above named, this 20<sup>th</sup> day of September, 2002.

03/11/2007

BEFORE THE STATE OF  
ILLINOIS COMMERCE COMMISSION

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**LIST OF EXHIBITS**

EXHIBIT A	ARTICLES OF INCORPORATION
EXHIBIT B	CERTIFICATE OF AUTHORITY TO TRANSACT BUSINESS
EXHIBIT C	BIOGRAPHICAL STATEMENTS
EXHIBIT D	FINANCIALS